

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

2010 JUL -1 PM 4:03

DEPUTY CLERK pl

DONALD RAY RECTOR, JR.,

Petitioner,

v.

RICK THALER, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:10-CV-0040

**ORDER ADOPTING REPORT AND RECOMMENDATION,
GRANTING RESPONDENT'S MOTION TO DISMISS, and
DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On March 29, 2010, respondent filed a motion to dismiss petitioner's application as time barred. On June 8, 2010, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed. Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, respondent's motion to dismiss is GRANTED, and the petition for a writ of habeas corpus is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 1st day of July 2010.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE